

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF PENNSYLVANIA

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name C & D Coal Company, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 26-2372136

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

110 Lee Valley Road
Derry, PA 15627

Number, Street, City, State & ZIP Code

Westmoreland
County

21113 Shephard Lane
Abingdon, VA 24211

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **C & D Coal Company, LLC**
Name

Case number (if known)

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.

See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.2121

8. Under which chapter of the Bankruptcy Code is the debtor filing? Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	When	Case number
District	When	Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☐ No
- ☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Derry Coal Company, LLC	Relationship	Affiliate
District	Western District of Pennsylvania	When	12/22/16
		Case number, if known	

Debtor **C & D Coal Company, LLC**
Name

Case number (if known)

11. Why is the case filed in this district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other**Where is the property?**

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **C & D Coal Company, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 22, 2016
MM / DD / YYYY**X** /s/ Jimmy Edward Cooper

Signature of authorized representative of debtor

Jimmy Edward Cooper

Printed name

Title Managing Member**18. Signature of attorney****X** /s/ Robert O Lampl

Signature of attorney for debtor

Date December 22, 2016

MM / DD / YYYY

Robert O Lampl

Printed name

Robert O Lampl, Attorney at Law

Firm name

960 Penn Avenue, Suite 1200Pittsburgh, PA 15222

Number, Street, City, State & ZIP Code

Contact phone 412-392-0330

Email address

19809

Bar number and State

Fill in this information to identify the case:

Debtor name C & D Coal Company, LLC
 United States Bankruptcy Court for the: WESTERN DISTRICT OF PENNSYLVANIA
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
AC Power Tech Inc. P.O. Box B Monessen, PA 15062			Unliquidated Disputed			\$30,005.76
B&F Parts and Service Inc. P.O. Box 1966 Cedar Bluff, VA 24652			Unliquidated Disputed			\$180,000.00
Bentley Development Co. P.O. Box 338 Blairsville, PA 15717-0338			Unliquidated Disputed			\$66,527.59
Conveyor Specialties, Inc. 29 Kerns Spur Bentleyville, PA 15314			Unliquidated Disputed			\$5,481.00
David Stanley Consultants 100 Village Drive, Suite 300 Fairmont, WV 26554-7986			Unliquidated Disputed			\$11,261.81
Department of Treasury Internal Revenue Service Cincinnati, OH 45999-0039			Unliquidated Disputed			\$300,000.00
Dolges Electric 896 Ridge Road Hastings, PA 16646			Unliquidated Disputed			\$54,226.67

Debtor **C & D Coal Company, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Everest Business Funding 2001 NW 107th Avenue 3rd Floor Miami, FL 33172			Unliquidated Disputed			\$26,000.00
Francis Enterprises Inc. P.O. Box 2284 Morgantown, WV 26502			Unliquidated Disputed			\$76,994.01
Global Mine Service P.O. Box 188 Fayette City, PA 15650			Unliquidated Disputed			\$74,276.71
GMS Mine Repair & Maintenance P.O. Box 2446 Mt. Lake Park, MD 21550			Unliquidated Disputed			\$7,000.00
IPS - Indiana PA Service Center 4470 Lucern Road Indiana, PA 15701			Unliquidated Disputed			\$10,500.00
Johnson Industries 101 Pine Fork Pikeville, KY 41501			Unliquidated Disputed			\$21,979.89
Joseph Maintenance Services, Inc. 10150 Route 259 Hwy. Blairsville, PA 15717			Unliquidated Disputed			\$12,854.00
LOGI-TEC P.O. Box 579 Murrysville, PA 15668			Unliquidated Disputed			\$15,668.00
Meyer Unkovic & Scott Henry W. Oliver Building 535 Smithfield Street, Suite 1300 Pittsburgh, PA 15222			Unliquidated Disputed			\$40,000.00
Mike Welmer Construction New Alexandria, PA 15670			Unliquidated Disputed			\$30,000.00
MSHA P.O. Box 790390 Saint Louis, MO 63179-0300			Unliquidated Disputed			\$14,851.51

Debtor **C & D Coal Company, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
W.B. Kania & Associates, LLC 71 North Mt. Vernon Avenue Uniontown, PA 15401			Unliquidated Disputed			\$63,787.83
Weimer Rebuilding, Inc. New Alexandria, PA 15670			Unliquidated Disputed			\$189,053.08

**United States Bankruptcy Court
Western District of Pennsylvania**

In re **C & D Coal Company, LLC**

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Managing Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **December 22, 2016**

/s/ Jimmy Edward Cooper

Jimmy Edward Cooper/Managing Member
Signer/Title

AC Power Tech Inc.
P.O. Box B
Monessen, PA 15062

B&F Parts and Service Inc.
P.O. Box 1966
Cedar Bluff, VA 24652

Bentley Development Co.
P.O. Box 338
Blairsville, PA 15717-0338

Conveyor Specialties, Inc.
29 Kerns Spur
Bentleyville, PA 15314

David Stanley Consultants
100 Village Drive, Suite 300
Fairmont, WV 26554-7986

Department of Treasury
Internal Revenue Service
Cincinnati, OH 45999-0039

Dolges Electric
896 Ridge Road
Hastings, PA 16646

Everest Business Funding
2001 NW 107th Avenue
3rd Floor
Miami, FL 33172

Francis Enterprises Inc.
P.O. Box 2284
Morgantown, WV 26502

Global Mine Service
P.O. Box 188
Fayette City, PA 15650

GMS Mine Repair & Maintenance
P.O. Box 2446
Mt. Lake Park, MD 21550

IPS - Indiana PA Service Center
4470 Lucern Road
Indiana, PA 15701

Johnson Industries
101 Pine Fork
Pikeville, KY 41501

Joseph Maintenance Services, Inc.
10150 Route 259 Hwy.
Blairsville, PA 15717

LOGI-TEC
P.O. Box 579
Murrysville, PA 15668

Meyer Unkovic & Scott
Henry W. Oliver Building
535 Smithfield Street, Suite 1300
Pittsburgh, PA 15222

Mike Weimer Construction
New Alexandria, PA 15670

MSHA
P.O. Box 790390
Saint Louis, MO 63179-0300

MT Business Technologies, Inc.
PO Box 1754
Mansfield, OH 44901-1754

W.B. Kania & Associates, LLC
71 North Mt. Vernon Avenue
Uniontown, PA 15401

Weimer Rebuilding, Inc.
New Alexandria, PA 15670